

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 11/1/2012

Action Requested By:
Community
Development

Agenda Item Type
Ordinance

Subject Matter:

Property Assessment

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 37 properties listed. All procedural requirements for declaring, removing and billing the grass cutting and clean-up has been completed in accordance with The City of Huntsville Code of Ordinances, Chapter 27, Article III. As a result of nonpayment by a stipulated date, the property owner has also been notified that an assessment will be placed on the property at the November 1, 2012, City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 10/23/2012

RESOLUTION NO: 12-_____

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has executed all procedural requirements contained in the City of Huntsville Code of Ordinances, Chapter 27, Article III entitled "'Weeds and Overgrown Grass'"; and

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has determined a nuisance to exist upon, in front of, or on property hereinafter more particularly identified; and

WHEREAS, the nuisance was subsequently removed by the City and the owner was mailed a copy of the report of cost of removal and notified by letter that an assessment would be placed against subject property for nonpayment of removal cost by a stipulated date; and

WHEREAS, it appears that all things necessary and proper have been done to make final the assessment against the property for the cost of abating the nuisance and that the stipulated date for payment of removal has expired on the property hereinafter described.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama, that the City Clerk-Treasurer hereby assesses the cost of abating the nuisance against the described property listed in Attachment A of this Resolution in the amounts indicated; AND, that the City Clerk-Treasurer is hereby authorized, requested and directed to levy the amount of such assessments against the property indicated and to collect the same in the same manner as other assessments are collected.

BE IT FURTHER RESOLVED, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to file in the Office of the Judge of Probate of Madison County, Alabama, a lien instrument known as "Notice of Property Assessment, City of Huntsville - **Ordinance No. 86-294** " on all properties listed in Attachment A of this Resolution, in the amounts indicated plus any recording or filing fees and plus any legal late penalty fees as determined by the Division of Community Development of the City of Huntsville, Alabama.

ADOPTED this the 1st day of November, 2012.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 1st day of November, 2012.

Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 12-_____

Attachment A, Page 1

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Ashok M. Patel 930 N. Beckley Rd. Lancaster, TX 75146	Vacant property behind 6400 block of Green Meadow Rd and behind 6506 and 6508 Sparkling Dew Ln NW PART OF SEC 3 BEG E 649.07 FT N 147 FT E 11.09 FT N 553 FT N 582.33 FT N 62 DEG E 139.82 FT N 62 DEG E 50.47 FT N 62 DEG E 13972 FT S 26 DEG E 40 FT N 62 DEG E 139.96 FT N 26 DEG W 40 FT N 63 DEG E 50.02 FT N 62 DEG E 139.88 FT N 27 DEG W 1201.55 FT E 511.78 FT FR THE CEN OF THE S BDY OF SEC 3 TH FT THE P/O/B E 833.09 FT TH S 1097.26 FT TH W 161.69 FT TH N 9.44 FT TH W 285 FT TH N 100 FT TH S 73 DEG W 26.54 FT TH N 27 DEG W 229.20 FT TH N 10 DEG W 52.50 FT TH N 27 DEG W 624.18 FT TH AR CURVE TO RIGHT RADIUS 835 FT CHORD BEARING & DIS OF N 72 DEG 73.98 FT TH N 15 DEG W 173.49 FT TO THE P/O/B & CONTA 16.83 AC M/L SEC T3 R1W	10-3-2012	\$332.16
Aubrey M. Adams 1015 Chartres Ave. St. Louis, MO 63132	810 Appleby St NW LOT 15 BL 1 TERRY HGTS 2ND ADD; LOT 16 BL 1 TERRY HGTS 2ND ADD; LOT 17 BL 1 TERRY HGTS ADD	10-5-2012	\$197.97

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Attachment A, Page 2

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Berry J. Turner & Marguertia Turner 3616 Knollwood Dr., NW Huntsville, AL 35810	3616 Knollwood Dr NW LOT 10 BLK B DAVIS HILLS EST 2ND ADD	10-3-2012	\$197.97
CADENCE BANK f/k/a Superior Bank-NA 312 Clinton Ave., W Huntsville, AL 35801	3425 Glen Park Dr NW LOT 13 BL 4 GLEN PARK 4TH ADD PB 3 PG 193	10-3-2012	\$197.97
Caffey Enterprises, LLC 3920 Meridian St. Huntsville, AL 35811	101 Whitney Ave NE LOT 1 BL A EDMONTON HEIGHTS S/D PART A DB 1004/292 9/19/2001	9-13-2012	\$210.72
Cannon P. & Bettie Peppers 3012 Love Dr., NW Huntsville, AL 35816	3012 Love Dr NW LOT 8 BLK 2 LOVE S/D 3RD ADD	9-12-2012	\$197.97
Church of God P. O. Box 1946 Huntsville, AL 35807	2701 Christian Ln NE LOT 2 HARVEST ACRES	10-4-2012	\$271.44
Daniel Patrick Fox 411 Hobbs Rd., SE Huntsville, AL 35803	411 Hobbs Rd SE LOT 2 BLK 2 EAGLES NEST RESURVEY OF EAGLES NEST (CHG FR 5-1E-7.00-K- 6 COMP/MAPP)	9-28-2012	\$197.97

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Attachment A, Page 3

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Donna L. Ogle 8414 Hogan Dr., SE Huntsville, AL 35802	8414 HOGAN DR SE LOT 3 BLK 1 LILY FLAGG ACRES HAYSLAND ADD PHASE 1 PB 12 PB 10	9-20-2012	\$259.91
Edwards Specialties, Inc. c/o Alden R. Edwards P.O. Box 2084 Huntsville, AL 35804	Vacant property east of 2747 Slate Dr SW (Common Area) COMMON AREA A OF ASHTYNN MANOR PHASE 4 PB # 20071221000889310	9-20-2012	\$246.44
Estate of Estelle Timmons c/o James Johnson 119 Misty Morn Ln. Huntsville, AL 35811	218 DERRICK ST NW S 100 FT OF LOT 35 AND LOT 36 TATE LOWRY S/D SEC 2 T4 R1W	9-19-2012	\$197.97
Estate of Estelle Timmons c/o James Johnson 119 Misty Morn Ln. Huntsville, AL 35811	220 DERRICK ST NW S 100 FT OF LOT 36 & 37 TATE LOWRY S/D SEC 2 T4 R1W	9-20-2012	\$197.97
Ethel Ethridge AKA Elizabeth C. Ethridge 3506 Ventura Rd., SW Huntsville, AL 35805	3506 Ventura Rd SW LOT 17 BL 16 HOLIDAY HOMES 3RD ADD SURV DB 423/580 6/60/69	9-21-2012	\$197.97

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Attachment A, Page 4

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Freddie & Willie M. Parks 3812 Colton Ln., NE Huntsville, AL 35811	3812 Colton Ln NE LOT 7 BLK H EDMONTON HGTS PT A	9-13-2012	\$259.91
Isabella Sheen 233 Whitestone Dr., NE Huntsville, AL 35810	233 WHITESTONE DR NE LOT 53 ALDERBROOK S/D	9-28-2012	\$185.72
Izola Hinton 5010 Clardy Rd., NW Huntsville, AL 35810	5010 CLARDY RD NW LOT 3 BL 2 HOLLY ACRES S/D PB 3 PG 67	9-19-2012	\$197.97
Jamie A. & Lakiesha Dobbs 219 Chris Ryan Dr. Toney, AL 35773	1019 SANDY SPRINGS RD NW LOT 5 BLK 1 WESTVIEW S/D 2ND ADD	10-4-2012	\$228.94
Janice R. Burris 502 Hermitage Wood Dr., NW Huntsville, AL 35806	502 HERMITAGE WOOD DR NW LOT 30 BL 5 HERMITAGE FORREST 3RD ADD	9-13-2012	\$197.97
Jimmy Allen 5211 Durinda Ln. Huntsville, AL 35810	2207 Viscount Dr NW LOT 8 BL C COUNTRY CLUB EST PB 1 PG 304	10-3-2012	\$210.72
Jimmy L. Johnson 12324 Chicamauga Trl. Huntsville, AL 35803	222 Derrick St NW N 50 FT OF LOT 37 TATE LOWRY S/D	9-19-2012	\$197.97

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Attachment A, Page 5

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
John & Elizabeth Daniel 901 Magnolia Dr., NW Huntsville, AL 35816	901 Magnolia Dr NW LOT 19 & 18 BL 3 TERRY HGTS ADD	10-5-2012	\$180.97
Kimberlyn Whitacre & Kimberly Baylis 410 O'Shaughnessy Ave., NE Huntsville, AL 35801	410 OSHAUGHNESSY AVE NE LOT 6 BL 47 EAST HVILLE ADD	9-24-2012	\$259.91
Lelia McKinney c/o James Steele 4904 Alburta Rd. Huntsville, AL 35816	Second vacant lot east of 203 Ward Ave NE LOT 68 MCCULLOUGH ADD	9-24-2012	\$210.72
Lelia McKinney c/o James Steele 4904 Alburta Rd. Huntsville, AL 35816	First vacant lot east of 203 Ward Ave NE LOT 67 MCCULLOUGH ADD	9-24-2012	\$210.72
Lelia McKinney c/o James Steele 4904 Alburta Rd. Huntsville, AL 35816	Third vacant lot east of 203 Ward Ave NE LOT 69 MCCULLOUGH ADD	9-24-2012	\$210.72
Lisa L. Wilkinson 5336 Main Dr. New Hope, AL 35760	2609 SPARKMAN DR NW LOT 13 BL 6 WOODCRESD S/D	9-17-2012	\$274.16

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Attachment A, Page 6

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Michael A. & Claretha K. Jennings 3815 Millbrae Dr., NW Huntsville, AL 35810	Second vacant lot east of 3101 Chelsea Ln SW ALL TH PT OF THE SW1/4 OF SEC 14 BEG E 589.5 FT FR THE CEN OF THE W BDRY OF THE SW1/4 OF SD SEC 14 TH FR POB N 208.8 FT TO THE S EDGE OF CHELSEA LANE TH E 52.1 FT TH S 208.8 FT TH W 52.1 FT TO POB SEC 14 T4 R1W DB 635/324 6/18/84	9-20-2012	\$210.72
Quashana Shante & Wilfred C. Stewart 412 Marguerite Dr., NW Huntsville, AL 35805	412 Marguerite Dr NW LOT 8 BL 4 ALYNEDALE S/D PB 2 PG 157	9-12-2012	\$259.91
R & H Investments, LLC P.O. Box 652 Madison, AL 35758	702 ARCADIA CIR NW LOT 10 BLK 1 ARCADIA COURTS PB 3 PG 211	9-19-2012	\$259.91
Rene D'Ippolito 520 Bain Dr., SE Huntsville, AL 35803	520 BAIN DR SE LOT 37 BLK 5 BELLVIEW HGTS PB 2 PG 57	9-24-2012	\$197.97
Teresa Smith, (Deceased) 1801 Tollgate Rd. Huntsville, AL 35801	2106 Apache Rd NW LOT 14 BL 6 MT CHARRON 4TH ADD	9-13-2012	\$197.97

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Attachment A, Page 7

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
The Estate of Evelyn W. Barnes c/o Gregory Andrew Barnes 6113 Deramus Ave., NW Huntsville, AL 35806	6113 Deramus Ave NW LOT 16 BL 16 SHERWOOD PARK 8TH ADD	9-12-2012	\$259.91
Tim Champlin 4902 Kyle Ln., NW Huntsville, AL 35810	4902 KYLE LN NW LOT 4 BL 4 PINEHAVEN S/D 3RD ADD PB 5 PG 1	9-20-2012	\$259.91
US Bank National Association 150 Allegheny Center Pittsburg, PA 15212	2302 Laverne Dr NW LOT 22 BL 13 OAKMONT 4TH ADD (CHG FR 3-1W-27.00-O- 6 COMPUTER MAPPING)	10-3-2012	\$259.91
William A. McGaha 3008 Hillsboro Rd., SW Huntsville, AL 35805	3008 HILLSBORO RD SW LOT 5 BL 18 HOLIDAY HOMES S/D PB 1 PG 315	10-5-2012	\$259.91
William L. & Jane H. Benson 3902 Lakeview Dr., NW Huntsville, AL 35810	3902 Lakeview Dr NW LOT 24 BL 23 LAKEWOOD MANOR 2ND ADD (CHG FR 3- 1W-13.00-B-56 COMPUTER MAPPING)	10-3-2012	\$197.97

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Attachment A, Page 8

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Winslow C. Shoemaker 141 Waterloo Ave. Berwyn, PA 19312	2215 Shady Lane Dr NW LOT 8 BL 7 SHADY LANE 3RD ADD (CHG FR 3-1W- 27.00-H-47 COMPUTER MAPPING)	9-13-2012	\$246.44